

**ENTERED**TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed June 27, 2008

*Barbara J. Houser*  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

SCOTT B. MEYROWITZ,

DEBTOR

§  
§  
§  
§  
§

CASE NO. 06-31660-bjh-11

**FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING  
MOTION FOR DETERMINATION THAT THE PLAN MODIFICATIONS  
DO NOT ADVERSELY AFFECT ANY ACCEPTING CREDITOR  
THAT HAS NOT ACCEPTED THE MODIFICATIONS IN WRITING**

Came on for consideration, the Motion for Determination that the Plan Modifications do not Adversely Affect any Accepting Creditor that has not Accepted the Modifications in Writing (the "Motion") filed by the Debtor on June 17, 2008 (the "Modifications"). The Court, after noting that due notice has been given to all parties in interest and after consideration of the evidence submitted and the arguments of counsel during the Confirmation Hearing held on June 24, 2008, makes the following findings of fact and conclusions of law:

### **FINDINGS OF FACT**

1. Adequate information was contained in the Revised Second Amended New Disclosure Statement (the “Disclosure Statement”) filed in this case, as modified on May 20, 2008, as set forth in 11 U.S.C. §1125.

2. The Revised Second Amended New Plan of Reorganization (the “Plan”) filed on May 20, 2008, as was not modified in such a manner that either classification or treatment of any creditor was materially altered in an adverse manner.

3. The Modifications do not cause a material change to the treatment of any class of creditors or interests who voted on the Plan and who have not changed their ballots.

4. Notice sent to the twenty (20) largest creditors and those requesting notice is sufficient notice for modifications that do not cause a material adverse change to the treatment of creditors or interest holders.

### **CONCLUSIONS OF LAW**

1. The Plan as modified does not violate 11 U.S.C. §§ 1122 or 1123.

2. The Plan as modified meets all of the requirements of 11 U.S.C. §1129.

3. The Debtor met the qualifications of 11 U.S.C. §1125 by virtue of the Disclosure Statement filed November 9, 2006.

4. All creditors and interest holders who voted in favor of the Plan are deemed to have accepted the Modifications.

### END OF ORDER ###

Submitted By:

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